

# **Stubbs Walk Conservation Area Appraisal and Management Plan Supplementary Planning Document**

**Submitted by:** Guy Benson, Head of Planning Services

**Portfolio:** Planning and Housing

**Ward(s) affected:** Town Centre Ward

## **Purpose of the Report**

To seek Cabinet approval to adopt as a Supplementary Planning Document the Stubbs Walk Conservation Area Appraisal and Management Plan.

## **Recommendations**

**That the Supplementary Planning Document relating to Stubbs Walk Conservation Area Appraisal and Management Plan be adopted.**

## **Reasons**

Following a consultation on a draft Conservation Area Appraisal and Management Plan the Planning Committee has recommended to Cabinet that the Council adopt Conservation Area Appraisal and Management Plan for the Stubbs Walk Conservation Area.

## **1. Introduction**

1.1 The Planning Committee has received reports on the preparation of the Stubbs Walk Conservation Area and Management Plan Supplementary Planning Document (SPD)

## **2. Consultation process and results**

2.1 The Planning Committee at its meeting on 3<sup>rd</sup> June 2015 approved a draft Stubbs Walk Conservation Area Appraisal and Management Plan Supplementary Planning Document for consultation purposes. This draft is still available to view on the Council's website via the following link

<https://www.newcastle-staffs.gov.uk/all-services/planning/planning-policy/newcastle-under-lymes-local-development-framework>

2.2 The consultation on the draft SPD then took place over a six week period from 21<sup>st</sup> December 2015 to 29<sup>th</sup> January 2016. A Consultation statement was then prepared providing details of the consultation, the response received to it, and the proposed action in relation to that response. A copy of this Consultation Statement is available to view via the above link.

2.3 The Planning Committee at its meeting on 1<sup>st</sup> March 2016 received the results of the consultation exercise. They accepted a recommendation that only some minor changes be made to the draft SPD, and that subject to no representations being received in response to a final formal period for representations, they commended the SPD to Cabinet for adoption. As required by the Local Planning Regulations 2012 the document together with the Consultation Statement was then made available for inspection for the appropriate period which ended on the 31<sup>st</sup> March. No further representations were received during that period so the SPD is now brought to Cabinet for adoption.

- 2.4 The Conservation Area Advisory Working Party at its meeting on the 29<sup>th</sup> February recorded its thanks to the officer for the quality and detail of the document, and resolved that the information be received and the comments of third parties on the original draft be noted.
- 2.5 The document consists of two sections – a Conservation Area Appraisal and a Management Plan. The Appraisal summarises the significance of the Conservation Area, includes a spatial and character analysis, an assessment of the quality and character of its buildings, and concludes with a summary of the opportunities and constraints. The appraisal concludes that the key issues in the area are:
- Protection of the townscape and built features of the Conservation Area including the trees, landscape and front boundary walls;
  - Use of modern materials on historic buildings, such as upvc windows and doors and inappropriate changes to historic buildings;
  - Consideration of additions to the Register of Locally Important Buildings and Structures;
  - Insensitive signage on businesses.
- 2.6 The purpose of the Management Plan is to provide a framework for future actions – some 16 are identified – e.g. proposing the article 4 direction to enable control over future development; working with property owners on effective tree management and; working with owners to achieve compliance with relevant planning policies.

### **3. Proposal**

- 3.1 That the Supplementary Planning Document relating to the Stubbs Walk Conservation Area Appraisal and Management Plan be adopted.

### **4. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 4.1 The adoption of the SPD assists the Council in achieving its corporate priority of creating a cleaner, safer and sustainable Borough and the priority relating to Borough of Opportunity. As an example of community engagement the drawing up of the draft Supplementary Planning Document reflects the Council's aspiration to be a co-operative Council.

### **5. Legal and Statutory Implications**

- 5.1 As required by the Local Planning Regulations 2012 the document together with the consultation statement were made available for inspection for the appropriate period.

### **6. Equality Impact Assessment**

- 6.1 There are not considered to be any differential impacts arising from the adoption of this Appraisal and Management Plan.

### **7. Financial and Resource Implications**

- 7.1 The drawing up of the Appraisal and Management Plan did involve some officer time but there was also a significant community contribution. With respect to the future the Appraisal will assist Development Management by providing an easy to use and up to date assessment of the character and appearance of the Conservation Area, whilst the

Management Plan forms a focus for Conservation Area activity both by the Borough Council and other Agencies.

7.2 There are potential financial implications from some of the proposals within the Management Plan and these will need to be considered before steps are taken. Some of the steps indicated within the Management Plan would involve expenditure, normally the application of staff resources. The other notable resource implications is the risk of the Council facing compensation liabilities in the long term – for example, if permitted development rights are withdrawn by means of an Article 4 Direction and planning permission is subsequently refused for development that would otherwise be able to be undertaken, then there is a possibility that a claim for financial compensation could be made. Members are advised that it is proposed to make a “non-immediate Direction” meaning property owners are notified before it is made and then registered as a Local Land Charge, so that a prospective purchaser can be aware of its’ existence thereby mitigating the risk to a reasonable extent. In addition it should be noted that the same designation of three other parts of the borough in the past have not resulted in any such compensation claims.

## **8. Major Risks**

8.1 There are not considered to be any Major Risks arising from the adoption of this document. Nevertheless members’ attention is drawn to the information provided in the previous section regarding potential compensation risks, albeit this is considered to represent a relatively low risk.

## **9. Sustainability and Climate Change Implications**

9.1 No such significant implications have been identified.

## **10. Earlier Cabinet/Committee Resolutions**

10.1 None

## **11. Appendices**

11.1 Appendix 1 – Plan showing boundary of the Stubbs Walk Conservation Area

## **12. Background Papers**

12.1 Consultation Draft SPD

12.2 The SPD Consultation Statement and Copies of representations made on the draft SPD